



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kyler, et al

Serial No: 10/553,825

Docket No. 20030081

Filed: April 21, 2004

For: PROCESS FOR PREPARING HIGH PURITY TNT

To: MAIL STOP MISSING PARTS
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

PETITION ON BEHALF OF OTHER JOINT INVENTOR WHO REFUSES TO JOIN
IN APPLICATION OR CANNOT BE REACHED (37 CFR § 1.47)

Dear Sir:

This petition is accompanied by proof of the pertinent facts and the last known address of the non-signing inventor as set forth in the accompanying Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 CFR § 1.47). The fee set forth in § 1.17(h) in the amount of \$130.00, required by 37 CFR § 1.47(a), is hereby authorized to be charged to deposit account No. 19-0130, in addition, a 3 month extension of time is attached.

AUTHORIZATION TO DEBIT ACCOUNT

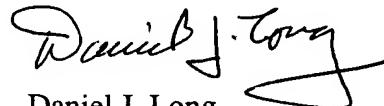
It is not believed that additional fees beyond those that may otherwise be provided for in documents accompanying this response. However, in the event that additional fees are necessary to allow consideration of this response, such fees are hereby petitioned

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under 37 CRF § 1.136(a) and any fee required therefore are hereby authorized to be charged or credit any overpayment to deposit account No. 19-0130.

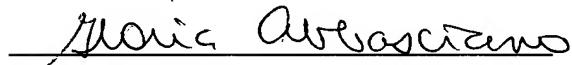
Respectfully submitted,



Daniel J. Long
Attorney for Applicant
Registration No. 29,404

BAE SYSTEMS Information and Electronic Systems Integration Inc.
P.O. Box 868
Nashua, NH 03061-0868
Tel: 603- 885-2643

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 1/3/07.


Gloria Abbasciano

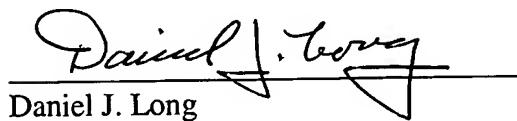


STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF
NONSIGNING INVENTOR (37 CFR § 1.47)

This statement of facts relied upon to establish the diligent effort made to obtain execution of the declaration by Dr. Keith S. Kyler for the above-identified application is being submitted by Daniel.J.Long of BAE Systems, 65 Spit Brook Road, P.O. Box 868, Nashua New Hampshire 03061-0868.

The last known address of Dr. Keith S. Kyler is 1401 University Blvd, Apt. D-3, Kingsport, TN 37650. The undersigned, with our patent paralegal, Gloria Abbasciano, has attempted to obtain Dr. Kyler's signature on the Declaration. On September 21, 2006 the attached letter was mailed to Dr. Kyler via certified mail at his last known address (listed above). As is shown by the attached copy of the envelope, this letter was returned as being undeliverable.

We also contacted his co-inventor, Andrew Wilson, to see if he knew of Keith Kyler's current address (see attached email).



Daniel J. Long

1/3/2007

Date

Abbasciano, Gloria (US SSA)

From: Abbasciano, Gloria (US SSA)
Sent: Thursday, September 21, 2006 1:53 PM
To: Moore, Grady (US SSA) (US OSI Kingsport)
Cc: Wilson, Andrew (US SSA) (US OSI Kingsport); Abbasciano, Gloria (US SSA)
Subject: RE: Patent Documents

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JAN 08 2007
BAE SYSTEMS
PATENT & TRADEMARK OFFICE
888*

Grady,

Were you able to find out the incorporation state for OSI?

Thank you,

Gloria

-----Original Message-----

From: Wilson, Andrew (US SSA) (US OSI Kingsport)
Sent: Monday, August 28, 2006 2:03 PM
To: Abbasciano, Gloria (US SSA)
Cc: Abbasciano, Gloria (US SSA); Moore, Grady (US SSA) (US OSI Kingsport)
Subject: RE: Patent Documents

Hi.

Sorry for the late reply.

Dr. Kyler is no longer working for us. I have no idea of his whereabouts. To my knowledge, he has made no effort to remain in touch with anyone at BAE Systems.

OSI is incorporated in Delaware, I believe. I don't know any incorporation details, but I have CC'd this to Grady Moore our contracts expert – I am sure he can obtain and provide any additional information.

Regards,

Andrew Wilson

From: Abbasciano, Gloria (US SSA) [<mailto:gloria.abbasciano@baesystems.com>]
Sent: Thursday, August 17, 2006 3:51 PM
To: Wilson, Andrew (US SSA)
Cc: Abbasciano, Gloria (US SSA)
Subject: Patent Documents

Case 20030081

Title: Process for preparing high purity TNT

Hi Andrew,

I'm preparing the Assignment and Declaration documents for the above patent application to send to you and your co-inventors for their signatures. I had a note in the file that said that this application should be assigned to BAE Ordnance Systems Inc. Can you tell me if this is still correct? If so, what is the address and state of incorporation?

Also, I did not see Keith Kyler in the Outlook list. Do you know if he's still an employee? If not, do you have a contact address or email for him or do you see him yourself?

Thanks again,

Gloria

BAE Systems



BAE SYSTEMS

September 21, 2006

Keith Kyler
1401 University Blvd, Apt D-3
Kingsport, TN 37660

Re: Patent Office Documents for Case 20030081
Entitled: Process for Preparing High Purity TNT

VIA CERTIFIED MAIL

Dear Keith:

Enclosed please find the formal paperwork needed to process this application with the US Patent Office. Also included is a copy of the patent application that you may keep for your records. Please execute the paperwork as indicated below and return to me ASAP.

1. Date and sign the Declaration and Power of Attorney. Remember to sign your name exactly as it appears on the form. If there are any changes required, i.e. change of address, cross out the incorrect and write the correct information directly on the form and put your initials next to it. **The Patent Office will not accept this form with changes unless you initial the changes.**
2. Please sign and date the Assignment.

If you have any questions or concerns, please do not hesitate to contact me at 603-885-7702.

Thank you for your assistance.

Best Regards,

Gloria Abbasciano

Gloria Abbasciano
Patent Paralegal